



ATTORNEY'S DOCKET NO: C1039/7022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg
Serial No: 09/337,893
Filed: June 21, 1999
For: METHODS OF REDIRECTING AN IMMUNE RESPONSE USING
IMMUNOSTIMULATORY OLIGONUCLEOTIDES
Examiner: Not Yet Assigned
Art Unit: 1633

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the 18th day of November, 1999.

Kim Ray Akeeli

THE ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- [x] Preliminary Amendment
- [x] Return Receipt Postcard

If the enclosed papers are considered incomplete, the U.S. Patent and Trademark Office is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

No check is enclosed. If a fee is required, please charge to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

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Docket No. C1039/7022
Dated: November 18th, 1999
NDD



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Kim Ray Akeeli

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the claims as follows:

42. (Amended) A method for redirecting a subject's immune response from a Th2 to a Th1 comprising the step of administering to the subject an immunostimulatory nucleic acid, having the following formula:



wherein C[and G are] is unmethylated, wherein X₁, X₂, X₃, and X₄ are nucleotides, wherein the nucleic acid has between only 8 and 100 nucleotides.

✓ REMARKS

Claim 42 has been amended to clarify that it is only essential for the C of the CpG dinucleotide to be unmethylated. The G may be unmethylated or methylated, without any effect on the activity of the nucleic acid. Support for this amendment is found throughout the specification, where the importance of the methylation status of the C is demonstrated. For example, on page 21, lines 11-17, it is taught that mitogenic oligonucleotides sequences become non-stimulatory if the